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SUBJECT: SLOVAKIA INPUT FOR OSCE HUMAN DIMENSION MEETING

REF: STATE 60838

¶1. (SBU) Summary. Slovakia is a functioning Parliamentary democracy and market economy that, for the most part, has done very well implementing its OSCE commitments to human rights and fundamental freedoms. In recent years Slovakia has become an advocate for human rights and fundamental freedoms as well, as its recent independence and rapid development enable it to speak with authority and experience. That said, Post has concerns about Slovakia's implementation of some of its OSCE commitments, including in the areas of media freedom, religious freedom, and treatment of the Roma minority, particularly with respect to education and housing rights. End summary.

MEDIA FREEDOM

¶2. (U) In April, a new Press Law was passed over the objections of journalists, media experts, and international bodies such as the OSCE. The law contains a very broad "right of reply" that grants offended readers - including government entities - the right to respond to even correct statements of fact that "touch on the honor, dignity, or privacy," of a person or legal entity. There is no requirement that the original statement be false or misleading, or that the response be true, or that the complainant have a legitimate or "justified interest" in the correction. Nor are publications permitted to publish any counter-response that contains a "value judgment." Post shares the concern of the OSCE and others that the new law could limit editorial freedom and offer "politicians undue influence over the opinion content of the newspapers." The law has been in effect since June 1, 2008. The first attempt to make use of the right of reply was made by a government coalition party; the request is pending. The Government of Slovakia has stated its willingness to amend the media law in the future if problems arise.

ROMA RIGHTS

¶3. (SBU) The Deputy Prime Minister for European Affairs, Human Rights and Minorities, Dusan Caplovic, has presented two wide-ranging concept papers outlining complex strategies for improving the situation of Slovakia's Roma minority. The "Mid-Term Concept for Development of the Roma National Minority" and the "Concept for the Upbringing and Education of National Minorities" each incorporate a range of education, employment, housing, social integration and other policies. Under an agreement negotiated with the EU in 2006, Slovakia is required to target a minimum of 2% of the 13 billion Euros in Eurofunds that it will receive for 2007-2013 toward inter-ministerial projects proposed by municipalities to address the needs of the Roma community. Although it remains to be seen how Deputy PM Caplovic will convince or cajole some less Roma-friendly Ministers to support his concepts, these documents certainly represent the most comprehensive and realistic documents any Slovak government has produced to date. The GoS should know that the USG has taken note and is supportive of Caplovic's efforts. We should

also convey, however, that the proof will be in implementation and thus far there has been very little progress. Some NGO representatives and others in-the-know have complained to us that the three Ministries that control the bulk of EU funds - Housing and Regional Development, Environment, and Education - have been only minimally responsive to the Deputy PM and Roma Plenipotentiary's proposals on key issues affecting the Roma community.

14. (U) In October, forty Roma families were forcefully evicted from dilapidated city-owned residences in the town of Nove Zamky, after their buildings had been sold to developers. Although the developers were required to provide new housing to the evicted families, the quality and location of the new dwellings provided led several of the Roma families to protest. The incident briefly became a subject of international attention and Deputy PM Caplovic publicly characterized the evictions as racially motivated. Unfortunately, many other cases of forced evictions in Slovakia are not so widely reported. A 2007 report by the Milan Simecka Foundation reported on 25 cases of forced evictions in 2006. Post believes it would be useful to remind Slovakia of its OSCE obligations with respect to housing and forced evictions, and encourage the Government to approve a plan and funds to assist cities and villages that must move Roma residents from unsafe buildings for legitimate reasons.

RELIGIOUS FREEDOM

15. (SBU) Post also remains concerned about restrictive requirements for the registration of religious groups in the Slovak Republic. The law was amended last year to require the signatures of 20,000 adherents; whereas previously the law required signatures from 20,000 citizens (even then, this requirement was much tougher than any other in the region). In a country with just over 5,000,000 inhabitants, such a burden appears intended to thwart the registration of new religions, particularly Islam.

PROGRESS ON ANTI-DISCRIMINATION

16. (SBU) In February the Slovak Parliament approved an amendment to the Anti-Discrimination Law that expanded the categories of discrimination that are unlawful, and introduced for the first time the possibility of using "balancing" or "equalizing" measures for disadvantaged communities. (Comment: Read affirmative action. End comment.) The same law created a definition of "sexual harassment" for the first time, and introduced a simplified procedure for proving discrimination in court. The law was drafted in cooperation with reputable NGOs and Human Rights organizations. Although it will be necessary to see how the law is implemented, Post believes the Act, and more importantly the cooperative spirit with which the Government and NGOs worked together to draft it, merits mention at the HDIM.

OBSITNIK